

REMARKS

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims and the following remarks.

Status of the Claims

In the present Amendment, claims 4 and 15 have been amended and claim 16 has been added. Claims 1-3 were previously canceled without prejudice or disclaimer of the subject matter contained therein, and claims 6-12 have been withdrawn from consideration.. Thus, claims 4-16 are pending in the present application.

No new matter has been added by way of these amendments because each amendment is supported by the present specification.

No new matter has been added with these changes to the claims. Support for the amendment to claim 4 has support in the specification at page 3, first full paragraph and page 6, lines 11-14 (wherein “ethyl” is C₂ alkyl). The amendment to claim 15 is clearly clarifying in nature and not a narrowing amendment. Thus, Applicants in no way are conceding any limitations with respect to the interpretation of the claims under the Doctrine of Equivalents. New claim 16 has support in the specification, at least, at page 6, lines 11-14.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues under 35 U.S.C. § 112, First Paragraph

Claims 4, 5, 13, 14 and 15 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement (Office Action, pages 2-4). Applicants respectfully traverse.

It is believed that this rejection has been obviated or rendered moot. In particular, the disputed claim language has been deleted. Also, new claim language appears that is not considered a negative limitation(s). Thus, reconsideration and withdrawal of this rejection are respectfully requested.

Issues under 35 U.S.C. § 112, Second Paragraph

Claims 4, 5, 13, 14 and 15 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite (Office Action, page 4). Applicants respectfully traverse.

It is believed that this rejection has been obviated or rendered moot. In particular, the disputed claim language has been clarified wherein one of skill in the art understands which substituents are being claimed and which are being excluded. Therefore, reconsideration and withdrawal of this rejection are respectfully requested.

Request for Rejoinder

As described above, claim 4 is allowable. Claims 6-9 depend from or require all the limitations of the allowable claim 4. Therefore, claims 6-9 are also allowable, and Applicants respectfully request favorable consideration of these claims. Favorable consideration of newly added claim 16 is also requested.

Conclusion

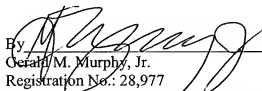
A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez, Reg. No. 48,501, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 
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